IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4833 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GUJARAT STATE CO-OPERATIVE UNION

Versus

KANTILAL VRAJLAL JOSHI

Appearance:

1. Special Civil Application No. 4833 of 2003

MR VIMAL M PATEL for Petitioner No. 1

MR ANAND L SHARMA for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 05/08/2004

ORAL JUDGEMENT

1.0 The petitioner Society has challenged the order dated 03/01/03 passed by the Appellate Authority in

Appeal No.23/2002 and order dated 17/04/02 passed by the Controlling Authority in Gratuity Case No.32/2001 at Annexure `A' to the petition.

2.0 Looking to the peculiar facts and circumstances of the case and considering the fact that a consensus has been arrived at between the parties, the order passed by both the Authorities is modified to the extent below;

2.1 The Controlling Authority is directed to issue a Cheque of Rs.13,566/- (Rupees Thirteen Thousand Five Hundred & Sixty Six only) in favour of the petitioner employer and a Cheque of Rs.13,000/- (Thirteen Thousand only) in favour of the respondent employee.

2.3 With the above directions, the petition stands disposed of. The orders of both the Authorities stand satisfied in view of the consensus between the parties. Rule is discharged. Interim relief stands vacated.

(K. S. Jhaveri, J.)

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